

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

TERESA M. TEASLEY,)	
)	
Plaintiff,)	
)	
v.)	CIV. NO. 2:21-cv-1-DCP
)	
KILOLO KIJAKAZI, ¹)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

ORDER OF REMAND UNDER SENTENCE FOUR OF 42 U.S.C. § 405(g)

Before the Court are the Parties' Joint Motion to Remand [Doc. 23], as well as Plaintiff's Motion for Judgment on the Pleadings [Doc. 21]. For the reasons stated herein, the Parties' Joint Motion [Doc. 23] will be **GRANTED**, and Plaintiff's Motion [Doc. 21] will be **DENIED AS MOOT**.

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the Parties' motion to remand this action, this Court now, upon substantive review, hereby enters a judgment under sentence four of 42 U.S.C. § 405(g), reversing the Commissioner's decision with a remand of the cause to the Commissioner according to the following terms. *See Shalala v. Schaefer*, 509 U.S. 292, 296 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 97-98 (1991).

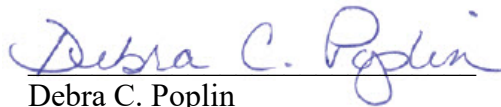
¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Upon receipt of the Court's remand order, the Appeals Council of the Social Security Administration **SHALL REMAND** the case with instructions to offer Plaintiff a new hearing, update the record, and issue a new decision that considers all the evidence and determines whether the claimant can perform work as applicable.

Accordingly, the Parties' Joint Motion [**Doc. 23**] is hereby **GRANTED**, and Plaintiff's Motion for Judgment on the Pleadings [**Doc. 21**] is hereby **DENIED AS MOOT**. A separate judgment will enter.

IT IS SO ORDERED.

ENTER:



Debra C. Poplin
United States Magistrate Judge